

**MEMORANDUM OF UNDERSTANDING
ON
RESPONSE TO THE USE OR THE THREAT OF
DEADLY FORCE IN A YORK COUNTY PUBLIC SCHOOL**

RECITALS

The use of deadly force, or the threat of deadly force, in a school building of the York County School Division constitutes a crisis for those in the building and invokes a response by various York County public agencies. While immediate action must be taken within the particular school, the ultimate management configuration for the crisis involves the York County Sheriff's Department, the York County Department of Fire and Life Safety and the York County School Division administrative staff. Accordingly, these agencies must coordinate planning and agree to assignment of responsibility before the onset of a crisis.

PLANNING COORDINATION

Upon implementation of this Memorandum of Understanding (MOU), a planning team, defined below, will meet and prepare a detailed CRISIS RESPONSE PLAN (PLAN) based on the planning factors set forth in Attachment A to this MOU. Subsequent to approval of the PLAN by the Sheriff, the Division Superintendent and the County Administrator, the planning team will meet semi-annually to review the PLAN.

Following any activation of the PLAN, the planning team will convene and conduct a post-incident evaluation and assessment of the PLAN. The planning team will submit a formal report of this assessment to the Sheriff, the Division Superintendent and the County Administrator within 60 days of the event. On a periodic basis, the planning team will brief the appropriate staff at federal installations in or adjacent to York County on the PLAN. Similar briefings will be provided for staffs in political jurisdictions with which York County has mutual aid agreements.

ASSIGNMENT OF RESPONSIBILITIES

The planning team will include the Deputy Superintendent for Operations, the School Division's Director of General Services and Director of School Administration, and Coordinator of Communications, the Sheriff's Chief Deputy and other deputies designated by him, the Assistant Chief for Special Operations and other staff designated by the Fire Chief. As deemed necessary, the planning team will avail itself of assistance

provided by special agents in the FBI field office in Norfolk, the Virginia State Police and other state or federal agencies.

As part of the annual budget process, the planning team, in a memorandum to the Sheriff, the Division Superintendent and the County Administrator by December 15 of each year, will identify any equipment, building systems or services deemed necessary to improve the ability of the signatories to this MOU to respond to crises in school buildings. The memorandum will indicate whether such items can be procured within existing funding limits of the agency which would procure the identified material or services.

COMMAND AUTHORITY

Ultimate responsibility for the safety and welfare of citizens and their children rests with the elected officials of York County. In fulfilling this responsibility, the signatories to this MOU delegate authority to deal with a crisis involving deadly force or the threat of deadly force to their employees as enumerated herein. Specifically, the Sheriff will act directly or through his deputies as provided in the PLAN to be developed as stated above. The Division Superintendent will exercise authority for the School Board and the County Administrator will exercise authority for the Board of Supervisors in carrying out the PLAN during a crisis. Individual School Board members and individual Supervisors will exercise no command authority while the PLAN is activated.

Sheriff of York County

Chairman, County School Board of York County

Chairman, York County Board of Supervisors

ATTACHMENT A
PLANNING FACTORS
FOR
CRISIS RESPONSE PLAN

ACTIVATION OF THE PLAN

Upon receipt of a report of the use of deadly force in a York County public school building, or in the school's immediate vicinity, the York County 911 Center staff will first alert appropriate Sheriff's Department field units and County Fire and Life Safety units. The 911 Center staff will then alert the Division Superintendent and the County Administrator of the crisis. The notification provided by the 911 Center staff will, of itself, activate this Plan for those School Division, County and Sheriff's Department personnel listed in the Plan.

The Plan is also activated when a school principal, a Sheriff's deputy or a County Fire and Life Safety staff member on scene assesses a threat of imminent use of deadly force in a public school building or on a school campus, as credible and reports same to the 911 Center. Anonymous bomb threats, of themselves, do not activate this Plan.

IMMEDIATE RESPONSE WITHIN THE SCHOOL

Should a building need to be evacuated, classroom doors should remain unlocked, lights left on, and students directed to take their backpacks with them as they exit the building. This procedure should become part of all evacuation drills, which include fire drills. The principal/designee should take the Crisis Management Kit (*see* S.REG.-5.1, Crisis Management Plan) to the Unified Incident Command Post, described below.

Upon exiting the building, the school principal should serve as the site manager (and should be recognizable as such via a color-coded photo ID badge) until emergency personnel are dispatched to the school site. The school principal should seek assistance from the Sheriff's Deputies on scene to assist with moving students and staff away from the building, securing the perimeter, and with keeping "outsiders" off the site and away from students and staff. The principal should require and expect adequate supervision from on-site teachers and staff while the students are outside of the building. School Division personnel should establish a chain of command at the assembly site to do staff and student head counts and to coordinate activities at the site.

ESTABLISHING THE CHAIN OF COMMAND

A Unified Incident Command Post (UICP) should be set up on-site to include three "players" who represent the School Division, Fire and Life Safety, and the Sheriff's Department. The Sheriff, or in his absence, the senior shift commander will be designated

as “the on-scene commander.” The on-scene commander may seek outside help from other federal, state, and local agencies as appropriate. *Ad hoc* members of the UICP staff should include the School Division’s Communications Coordinator and the building principal.

A location selected for the UICP should be checked prior to activation to ensure it is a safe site. Scouting should be done in a two-person team with one member of the team being a person who is familiar with the area being scouted. Consultation with emergency personnel for a “safe site” at the scene is important because there is a trend to put a secondary device in the area where a command post, and/or safe area for students has been designated in advance.

Upon direction of the on-scene-commander, the Emergency Operations Center (EOC) in the Public Safety Building may be opened to handle and coordinate activities/action. If so directed by the on-scene-commander, the County’s Emergency Coordinator/designee at the EOC will seek outside help from federal, state, or neighboring jurisdictions with which the County has mutual aid agreements.

The School Division Director of Maintenance should report to the UICP to assist with interpreting architectural plans for the building, assisting with locating water shut-off valves, electrical feeds, roof access to the building, and other such needs as deemed necessary.

The on-scene commander will specify the security measures to be established at the UICP. All school division personnel and non-uniformed emergency personnel will wear photo identification badges while at the scene of the crisis or at the safe haven established while dealing with the crisis (see below).

INTERNAL COMMUNICATIONS

Communications via radio and telephone lines and cellular telephones will be established between the UICP, the EOC, the School Board Office and the safe haven site as quickly as possible.

Only official business will be conducted on internal lines of communications. The media and members of the general public will not have access to these lines of communications.

If an explosive device is located, electronic communication devices (radios, cellular telephones, etc.) should not be used within 300 feet of the building.

School personnel will be trained on turning off the fire alarm system inside the building so that Sheriff’s Department and Fire and Life Safety personnel can hear each other on the

radio inside the building. School Division staff will undertake to upgrade alarm systems with a capability for being turned off remotely by Sheriff's Department personnel.

COMMUNICATIONS WITH THE PUBLIC

The on-scene-commander will delegate authority to control information access by the media to the School Division's Coordinator of Communications at the UICP. Steps for controlling "crime scene information" will be stated expressly in the PLAN. If the EOC opens, the County's Public Information Officer may serve as the "point person" for releasing information to the media, if so directed by the Division Superintendent and County Administrator. The Division Superintendent and County Administrator will coordinate guidelines for release of information as the crisis unfolds. Generally, no names of students or faculty will be released until the crisis is resolved.

As many telephone lines as possible in the School Board Office will be open to calls from parents and relatives of students and faculty in the school affected. Cox Cable TV Channel 36 and Channel 37 will be used to issue updates on the situation in a timely fashion. However, the electronic media at the scene or at the EOC will be viewed as the primary channel of communications with the general public.

SECURING THE SAFETY OF STUDENTS AND FACULTY

The PLAN will expressly state that ***no suspected explosive device found during a crisis will be touched or moved except as directed by the on-scene-commander.***

The School Division staff will use a standard code word or code phrase, specified in the PLAN, to alert School Board employees within a building that the potential of deadly force exists. Each school's emergency management plan will include factors to consider and guidance on evacuating a building when circumstances produce a probability of the use of deadly force within the building. Careful consideration of the situation must obtain prior to vacating a school building. To move the staff and staff outside the confines of the physical plant may make staff and students vulnerable to explosive devices planted on the grounds or to small arms fire from property adjacent to the school site.

If the on-scene-commander determines that students and staff should be vacated from the grounds of the school, an evacuation site designated "the safe haven" should be identified in advance. One school administrator will be designated "in charge of the safe haven" and will manage school staff at the safe haven. Another school administrator will be tasked with the express responsibility of matching students with parents and relatives/spouses with school staff. Teachers will accompany the students to the safe haven either on foot or via school buses. In advance of students and staff moving to the

safe haven, emergency personnel should scout the site to ensure it is safe. If doubts arise regarding safety, an alternate site will be designated and scouted to ensure safety.

Upon exiting the building,

- all students and staff should be directed to move a specified distance from the building, preferably with another building or earth knoll between the evacuees and the site being evacuated. (Each school's emergency management plan will specify the minimum distance to which occupants are to be moved upon evacuation.)
- generally, all students should be directed to deposit their backpacks at several designated "holding piles" which can be accessed readily for inspection by emergency personnel.

PERIODIC DRILLS AND PRACITICES

Staffs will plan, conduct and evaluate periodic drills to test and improve the effectiveness of the PLAN. Each drill will be observed by a team comprised of a school administrator not assigned to the building being tested, a Deputy Sheriff and a representative of the Department of Fire and Life Safety.